



JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
MARCH 18, 2003
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Police and Fire Chaplain Sam L. Faroane, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

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No action was taken regarding: "I would like to request to address City Council and Representatives on victimization, failure to protect and serve, safe housing, falsely incarcerate and abuse minors. I want to know who works in this city". [Beverly Gibson]

Ms. Beverly Gibson, citizen, explained the situation about her son abused by the Police Department and falsely incarcerated.

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No action was taken on the discussion and action regarding that City Council ban the use of pop-up sprinkler head systems for irrigation of lawns in new construction and that Council direct the El Paso Water Utilities to develop a rebate plan for those wishing to switch over to subsurface irrigation systems.
[Lisa Turner]

Representative Cook asked if all four items that Ms. Lisa Turner wanted to speak about could be taken all together.

Ms. Lisa Turner, citizen, requested that each item be taken separately since they were all important and proceeded to give her recommendation in order to save water.

Representative Sumrall advised Council on an ordinance that requires new construction have zero landscaping in the front yards so that the drip system was never needed but this would be an excellent idea for the backyards.

Representative Cobos suggested that there be an advisory committee with a member from each district and that input such as Ms. Turner's would be greatly appreciated.

Mayor Caballero also encouraged the public to make recommendations and thanked Ms. Turner.

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No action was taken on the discussion and action regarding that City Council ban water heaters in new construction and hot water on demand systems will be installed in their place. [Lisa Turner]

Ms. Lisa Turner, citizen, gave her recommendations.

Ms. Turner stated that by doing so, the City would create a market and can go to the manufacturer and explain the situation in the Southwest and ask them to open a plant in town, creating jobs.

Mr. Robert McMillan, citizen, suggested a reticulation pump, which returns the water to the water heater until the water reaches the correct temperature.

Ms. Lisa Turner, citizen, made her recommendations.

Ms. Lisa Turner, citizen, made her recommendations.

No action was taken regarding: Item to do with Plumbing Code and is marked as Exhibit "A". Exhibit "A" on file in the City Clerk's Office. [Richard Telles-Goins]

Mr. Terry Williams, stated that this is a Public Service Board (PSB) requirement and if changed, then the Municipal Code would take over.

Mr. Telles-Goins stated that he spoke Luis Quiroz, PSB employee, and according to him, it had not changed.

No action was taken regarding: Adoption of National Plumbing Code and is marked as Exhibit "B". Exhibit "B" on file in the City Clerk's office. [Richard Telles-Goins]

Representative Sumrall questioned Mr. Terry Williams, Director of Building Permits and Inspections, if there must be two water fountains for every 1,200 sq. ft. in stores.

Mr. Terry Williams, Director of Building Permits and Inspections, explained that the requirement derives from the International and Plumbing Code and that it is a national requirement from the Americans with Disabilities Act.

Representative Medina agreed with Representative Sumrall and disagreed with the requirements. They proceeded to request that the matter be looked into.

Mr. Williams explained the modifications to the ordinance.

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No action was taken regarding: Failure to conduct business of El Paso and is marked as Exhibit "C". Exhibit "C" on file in the City Clerk's Office. [Richard Telles-Goins]

Mr. Richard Telles-Gions, citizen, explained he was being over charged for a permit; fee should be \$12.00 instead of \$25.00

Mr. Charlie McNabb, Chief Administrative Officer, commented on the Occupational Tax which is 1½ of what the State charges. The permit fee is for the cost to the city of regulating the business. He instructed the City Attorney's Office to investigate and correct the permit fee amounts if needed.

Mayor Caballero requested that City Departments call the persons placing items on the agenda and resolve the issues before addressing Council. Council should be the last resource.

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No action was taken on the discussion and information on publicly financed campaigns, i.e., campaign finance reform. [Kristofer Johnson and Carl Starr]

Mr. Carl Starr, citizen, commented.

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Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

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***RESOLUTION**

Be it resolved by the City Council of the City of El Paso:

That the Mayor be authorized to sign the following contract on behalf of the Arts and Culture Department for the **FY2003 World on a String International Guitar Festival**, to be held at the Chamizal National Memorial, as recommended by the Arts and Culture Department Advisory Board and staff.

- 1. MCM Artists for the Santa Fe Guitar Quartet; one performance on Saturday, April 26, 2003; cost of \$8,000.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following grant application on behalf of the Arts and Culture Department for submission to the National Endowment for the Arts (NEA) and to sign the related contract should funds be granted, either in the requested amounts or at such lesser amounts as may be approved by the NEA. This grant will be used for the FY 2004 Discovery Series: Martha Graham Dance Ensemble, February 7; Ballet Hispanico, February 14; and the Turtle Island String Quartet, March 27 2004. The grant request and applicable City matching funds are as follows:

1. To request and receive \$15,000 for artistic fee support to present the FY2004 Discovery Series: Martha Graham Dance Ensemble February 7; Ballet Hispanico February 14; and the Turtle Island String Quartet March 27 2004. A 1:1 match of City funds is required for the amount of the grant actually awarded.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this sanitation lien for:

	<u>Lien Amount</u>	<u>Interest</u>	<u>Total</u>
953 Saint Laurent	\$152.63	\$4.52	\$157.15

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Appraisal Services Agreement by and between the City of El Paso and Ralph Sellers & Associates in an amount not to exceed \$1,000.00 for the appraisal of the following described City property to determine the appraised value for a proposed street right-of-way vacation:

*A portion of Guernsey Road abutting Tract 33, O. A. DANIELSON
SURVEY NO. 310, City of El Paso, El Paso County, Texas, and being
more particularly described by metes and bounds.*

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Grant Application, and related documents requesting \$880,000.00 from the Federal Save America's Treasures Program to be used for the restoration of the Plaza Theatre.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Easement Agreement granting Western Refining Company, L.P. the right to maintain an anchor concrete facility and guy wires to support a flare tower on property owned by the City of El Paso, municipally known and numbered as 212 N. Clark Drive, for a term of 30 years with an option to extend for an additional 30 year term.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Task Force Agreement and all required certifications by and between the U.S. Department of Justice, Drug Enforcement Administration, and the City of El Paso relating to the operation of the Task Force with the Police Department from March 18, 2003 through September 30, 2003.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Overwidth Reimbursement Agreement between the City of El Paso and E. P. Park Hills Ltd. to allow the City to participate in the cost of the construction of Via Descanso Lane within Chaparral Park Unit Forty Subdivision; and that the Mayor is hereby authorized to execute any necessary budget transfers to accomplish the intent of this Resolution.

Ms. Cindy Crosby, Assistant City Attorney, explained the revisions.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution as revised.

Representatives Sumrall and Rodriguez were not present for the vote.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the April 27, 1993, Lease Agreement between the City and the Salvation Army, extending the term for an additional three years, for the property at 1926-1930 Bassett Avenue. The Salvation Army will operate a transitional housing program at this property under a supportive Housing Renewal Grant from the U. S. Department of Housing and Urban Development.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Engineering Services by and between the CITY OF EL PASO and QUANTUM ENGINEERING CONSULTANTS, INC., for a project known as "Borderland Street and Drainage Improvements Phases II & III" in an amount not to exceed ONE HUNDRED SEVENTEEN THOUSAND SIX HUNDRED ELEVEN and 66/100 DOLLARS (\$117,611.66).

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Engineering Services by and between the City of El Paso and Parkhill, Smith & Cooper, Inc., for a project known as "Ramona Avenue & Thomas Place Street & Drainage Improvements" in an amount not to exceed ONE HUNDRED TWO THOUSAND THREE HUNDRED EIGHTY-FIVE AND NO/100 DOLLARS (\$102,385.00).

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an agreement between the City of El Paso and Salt Lake City, Utah whereby the City of El Paso's Aircraft Rescue Fire Fighter Unit will receive firefighting training at the Salt Lake City ARFF Training Center.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign the "Park Partner" Agreement with the following organization for maintenance and other services on City property as described in the Agreement:

Sunset Heights Garden Club Mundy Park

AND THAT the Mayor be further authorized to sign additional documents and take additional action necessary to fulfill the purpose of this contract.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **CARMEN S. REYES** to assist the El Paso Public Library at an hourly rate of \$5.57 per hour, not to exceed 20 hours per week without permission from the Co-Op Coordinator, in which case student may work up to 40 hours per week. The contract period is from March 19, 2003 through May 31, 2003.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **CAROLYN VICKI MOORE** to assist the Economic Development Department as a Tourism Programs Coordinator at a biweekly rate of \$1,500 for 40 hours per week. The term of the contract shall be for the period of March 19, 2003 through March 18, 2005.

Motion made by Representative Power, seconded by Representative Escobar and carried to approve the above Resolution.

Representatives Sumrall and Rodriguez were not present for the vote.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Graduate Intern Employment Contract between the **CITY OF EL PASO** and **KATHERINE NICOLE ARNOLD**, as a Graduate Intern for the Economic Development Department at the rate of \$8.25 per hour, for 40 hours per week. The term of the contract is from March 19, 2003 through March 31, 2003.

NOTE: This was revised to read " ...from March 19, 2003 through May 31, 2003."

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign, on behalf of the City of El Paso as the owner of the adjacent park site, the final plat application and recording maps for Franklin Hills Unit 2 Subdivision.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City of El Paso be authorized to accept up to the sum of One Hundred Thousand and No/100 Dollars (\$100,000.00) from the Border Health Institute Board of Directors for the purpose of engaging a planning services consultant to perform a market demand analysis and health care needs assessment for the El Paso MSA, including New Mexico and Chihuahua, Mexico; and that the Mayor be authorized to sign any and all documentation required by the Border Health Institute and the Empowerment Zone Board of Directors in order to obtain the funds.

***R E S O L U T I O N**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: PEREZ, JUAN & ROSA L. of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

1048 Missbev Avenue, City of El Paso, El Paso County, Texas, being more particularly described as Lot 9 (15548 SQ FT), Block 2, Pinckard Subdivision, Parcel P859-999-0020-0090,

to be FIVE HUNDRED THIRTY-FIVE AND 84/100 DOLLARS (\$535.84) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work has performed on the Fourteenth day of October 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of FIVE HUNDRED THIRTY-FIVE AND 84/100 DOLLARS (\$535.84) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

***R E S O L U T I O N**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: ESTES, BONNIE of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

4737 Emory Road, City of El Paso, El Paso County, Texas, being more particularly described as Lot 2 EXC ELY PT (55329.90 SQ FT), Block 1, Emory Estates Subdivision, Parcel E800-999-0010-0200,

to be ONE THOUSAND ONE HUNDRED TWENTY-SIX AND 88/100 DOLLARS (\$1,126.88) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work has performed on the Twenty Seventh day of November, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of ONE THOUSAND ONE HUNDRED TWENTY-SIX AND 88/100 DOLLARS (\$1,126.88) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***R E S O L U T I O N**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: LEROSSIGNOL & ASSOCIATES LLC of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

5931 Dyer Street, City of El Paso, El Paso County, Texas, being more particularly described as Lot 18 to 20 & W 10 FT of 17 (10200 SQ FT), Block 53, Logan Heights Subdivision Parcel L447-999-0530-7300,

to be ONE HUNDRED SIXTY SEVEN AND 79/100 DOLLARS (\$167.79) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work has performed on the Third day of October 2001 approves the costs

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of ONE HUNDRED SIXTY SEVEN AND 79/100 DOLLARS (\$167.79) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***R E S O L U T I O N**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, ARELLANO, JOSE D & PATRICIA of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

8900 Block of Mercury, City of El Paso, El Paso County, Texas, being more particularly described as Lot E 110 FT of N 65 362 (7150 SQ FT), Sunrise Acres #1 Subdivision, Parcel S912-999-001M-3750

to be TWO HUNDRED THREE AND 51/100 DOLLARS (\$203.51) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work has performed on the Tenth day of October, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of TWO HUNDRED THREE AND 51/100 DOLLARS (\$203.51) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***R E S O L U T I O N**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, CAMWIND FAMILY LIMITED PARTNERSHIP c/o Bruce Bixler & Company of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

6550 Mohair Drive, City of El Paso, El Paso County, Texas, being more particularly described as Lot 26 & 27 (1.99 ACRES), Block B, Pioneer Subdivision, Parcel P850-999-00B0-2600

to be NINE HUNDRED FIFTY-EIGHT AND 01/100 DOLLARS (\$958.01) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work has performed on the Seventeenth day of October, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of NINE HUNDRED FIFTY-EIGHT AND 01/100 DOLLARS (\$958.01) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***R E S O L U T I O N**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, CHRISTOPHERSON CONSTRUCTION of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

9498 Montwood Drive, City of El Paso, El Paso County, Texas, being more particularly described as Lot A (44351 SQ FT), Block 23, Montclair Subdivision, Parcel M638-999-0230-9700

to be ONE HUNDRED NINETY-THREE AND 77/100 DOLLARS (\$193.77) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work has performed on the Twenty-fourth day of September, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of ONE HUNDRED NINETY-THREE AND 77/100 DOLLARS (\$193.77) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***R E S O L U T I O N**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, GEORGE GONZALEZ of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being

2424 Wyoming Avenue, City of El Paso, El Paso County, Texas, being more particularly described as Lot 4 & E Subdivision, Parcel B202-999-0760-1100

to be ONE HUNDRED TWO AND 30/100 DOLLARS (\$102.30) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work has performed on the Sixth day of August, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of ONE HUNDRED TWO AND 30/100 DOLLARS (\$102.30) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 22nd day of April, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 320 Wenda Way, in El Paso, Texas, which property is more particularly described as:

Lot: 6, Block 1, North Loop Gardens #2, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 15, Page 20, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Louis W. Capone and Eva B. Capone, 139 Buckwalter Road, Phoenixville, PA 19460-2375, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owner's lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

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*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 22nd day of April, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 6226 Escondido Drive, in El Paso, Texas, which property is more particularly described as:

Lot: Two portions of Lot 1, Block 1, Balcones Coronado, El Paso County, Texas, according to the Map thereof on File in Book 63, Page 12, Plat Records of El Paso County, Texas, and being more particularly described by Metes and Bounds as shown in Exhibit "A" and "B" attached hereto and made a part hereof for all purpose intended.

(Exhibit on file with this Notice in the City Clerk's Office).

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Andrew Castillo, Jr., 215 Mulberry Avenue, Apt. D, El Paso, Texas 79932-2045, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 22nd day of April, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 8430 Plant Road AKA 9425 Plant Road, in El Paso, Texas, which property is more particularly described as:

Tracts: 1F3, 1F and 2D5, Block 35, Ysleta Grant, an Addition to the City of El Paso, El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Cesar H. Duarte Jaquez (Owner), P. O. Box 11518, El Paso, Texas 79982, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....

*Motion made, seconded and unanimously carried to approve the request to fill the following position on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Juana Cardenas, Custodial Worker – Sun Metro

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Health

Add	1.00	Nurse Supervisor	Grade PM78
Delete	1.00	Public Health Supervisor	Grade PM76

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Library

Add	1.00	Library Information Specialist II	GS 17
Delete	1.00	Library Information Supervisor	GS 21

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Library

Add	1.00	Library Information Supervisor	GS 21
Delete	1.00	Library Information Specialist II	GS 17

*Motion made, seconded and unanimously carried to re-appoint Michael C. Nash to the Arts and Culture Board by Representative Luis Sariñana.

*Motion made, seconded and unanimously carried to re-appoint Lidia Flynn to the Arts & Culture Advisory Board by Representative Anthony Cobos.

*Motion made, seconded and unanimously carried to re-appoint Heramb K. Singh, M.D. to the Art Museum Advisory Board by Representative Anthony Cobos.

*Motion made, seconded and unanimously carried to re-appoint Julie Delgado to the Art Museum Advisory Board by Representative John Cook.

*Motion made, seconded and unanimously carried to re-appoint Ramon E. Lara to the Art Museum Advisory Board by Representative John Cook.

*Motion made, seconded and unanimously carried to re-appoint Estrella Escobar to the El Paso Public Arts Commission by Representative Jan Sumrall.

*Motion made, seconded and unanimously carried to appoint Dr. Yolanda Rodriguez Ingle to the Arts & Culture Advisory Board by Representative Jan Sumrall.

*Motion made, seconded and unanimously carried to appoint Henry J. Whelen to the Flood Damage Prevention Board of Appeals by Representative Jan Sumrall.

*Motion made, seconded and unanimously carried to appoint Veronica Cena to the Arts & Culture Advisory Board by Representative Paul J. Escobar.

*Motion made, seconded and unanimously carried to award Bid No. 2003-032 Eastside Park Improvements

Contractor:	Dantex Construction Co.		
	El Paso, Texas		
Department:	Parks and Recreation		
Funds Available:	71150069/PPW00460007/10/17/60019/26251/508027		
Funding Source:	Quality of Life Bond		
Items:	Base Bid I	\$275,000.00	
	Travis White Park		
	Alternate No. 1 1.20	\$ 8,200.00	

Total Award: \$316,200.00

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

Contractor:	T C Enterprises Inc. dba El Paso TC Enterprises Inc.
	El Paso, Texas
Department:	Parks & Recreation
Funds Available:	71150069/PPW0046007/10/17/60019/26251/508027
Funding Source:	Quality of Life Bond
Items:	Base Bid II \$507,685.00
	Ponder Park
Total Award:	\$507,685.00

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

Contractor:	J & J Concrete, Inc.
	El Paso, TX
Department:	Streets
Funds Available:	7115069-G7126CD0015-07736-508027
Funding Source:	Community Development FY2003
Items:	Base Bid I \$625,400.00
	Base Bid IA \$ 2,100.00
	Base Bid II \$ 93,201.00
	Base Bid III \$114,506.00
Total Award:	\$835,207.00

RECOMMENDATION:

The Departments of Purchasing, Engineering, and Streets recommend the award of this contract to J & J Concrete, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

1. Lump Sum Component

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

2. Unit Price Component

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2003-088 Chester E. Jordan Park Picnic Units

Contractor: Karlsruhe Inc. dba CSA Engineers & Constructors
El Paso, Texas
Department: Parks & Recreation Department
Funds Available: 51159242/P518000154/16128/508004
Funding Source: FY 2003 General Revenue Funds
Item: Base Bid I \$65,000.00
Total Award: \$65,000.00

The Departments of Purchasing, Engineering and Parks and Recreation recommend the award of this contract to Karlsruhe Inc. dba CSA Engineers & Constructors, the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

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*Motion made, seconded and unanimously carried to award Bid No. 2003-101 Fertilizer

Award to: Helena Chemical Company
Mesquite, New Mexico
Items: #1 and #2
Amount: \$107,070.00 (estimated annually)

Department: Parks and Recreation
Funds available: 51010262-503113
Funding source: 01101-General Fund
Total award: \$107,070.00 (estimated annually)

The Parks & Recreation and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty-Six months.

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2003-357 STREET Training of ADA compliance requirements.

Increase	\$6,000	to	32010159/01101/504412	SemCont Ed
Decrease	\$1,500	from	32010159/01101/502229	OffEqMaint
Decrease	\$1,500	from	32010159/01101/503107	PhotoFilm
Decrease	\$2,500	from	32010200/01101/502209	PrtSvcCnt
Decrease	\$ 500	from	32010200/01101/502204	EnvironCnt

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*Motion made, seconded and unanimously carried to approve budget transfer BT2003-369 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$2,525,000 to fund construction for City-County Health Administration Phase I. Funding source is 2002 CO's.

Increase	\$ 25,000.00	to	31250204/PPW020300260503/508024	Test
Increase	\$2,500,000.00	to	31250204/PPW020300260503/508027	Constr
Increase	\$ 99.38	to	31250204/PPW020360503/502302	PrtShp
Increase	\$ 79.56	to	31250204/PPW020360503/502304	Mailrm
Decrease	\$ 41,154.16	from	31250204/PPW020360503/508024	Test
Decrease	\$ 68,550.68	from	31250204/PPW020360503/508020	StePrp
Decrease	\$ 482,924.00	from	31250204/PPW020360503/508019	Apprsl
Decrease	\$ 274,694.51	from	31250204/PPW020360503/508017	Survys
Decrease	\$1,657,855.59	from	31250204/PPW020360503/508002	Bldgs

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*Motion made, seconded and unanimously carried to approve budget transfer BT2003-370 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$480,000 to fund construction for City Hall Restroom Remodeling-ADA. Funding source is 1993A issue CO's.

Decrease	\$480,000	from	31118111/P50200327035/508027	Construction
Increase	\$480,000	to	31118111/P50200327035/507000	IntrfdTrf
Increase	\$ 8,000	to	31118111/PPW005000227035/508022	CityAdm
Increase	\$ 2,000	to	31118111/PPW005000227035/508024	Testing
Increase	\$ 8,000	to	31118111/PPW005000227035/508026	Inspection
Increase	\$458,000	to	31118111/PPW005000227035/508027	Construction
Increase	\$ 4,000	to	31118111/PPW005000227035/508051	PrgmMgmt
Increase	\$480,000	to	31118111/PPW005000227035/407000	IntrfdTrf

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*Motion made, seconded and unanimously carried to approve budget transfer BT2003-371 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$1,060,000 to fund construction for Schuster Slope Stability. Funding source is 1987A Issue Flood Control.

Increase	\$1,060,000	to	31110103/PPW010026014/407020	Bond Proc
Increase	\$ 19,000	to	31110103/PPW010026014/508024	Testing
Increase	\$ 21,000	to	31110103/PPW010026014/508026	Inspection
Increase	\$1,020,000	to	31110103/PPW010026014/508027	Construction

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*Motion made, seconded and unanimously carried to approve budget transfer BT2003-372 MUNICIPAL SERVICES

Municipal Services proposes to transfer \$40,000 to fund Gloria Street Improvements. Funding source is FY2000 CO's.

Decrease	\$40,000	from	31250102/PPW002800127172/508027	Construction
Increase	\$ 5,000	to	31250102/PPW002800727172/508016	Design
Increase	\$ 1,000	to	31250102/PPW002800727172/508024	Testing
Increase	\$ 2,500	to	31250102/PPW002800727172/508026	Inspection
Increase	\$31,500	to	31250102/PPW002800727172/508027	Construction
Increase	\$40,000	to	31250102/PPW002800127172/507000	Intrfd Trf
Increase	\$40,000	to	31250102/PPW002800727172/407000	Intrfd Trf

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 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-392 FIRE
 To establish an account from donations to the Fire Department.

Increase	\$2,800	to	22153024/15464/407002	Est Rev
Increase	\$2,800	to	22153024/15464/503101	MinOffEq

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-403 AIRPORT
 Transfer of funds to cover cost of fingerprinting which will be offset by charges to users such as 3rd party lessees. Also establishes appropriation for derubberization of runways for the landing area cost center.

Increase	\$11,000	to	62620009/40101/502215	OutsideCnt
Increase	\$11,000	to	62620009/40101/403038	Fingrprt Rev
Increase	\$14,000	to	62620009/40101/502215	OutsideCnt
Increase	\$14,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$14,000	to	62620018/P50000241021/507001	Intrfd Trf Out
Increase	\$14,000	to	62620009/40101/407001	Intrfd Trf In

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-404 AIRPORT
 Transfer of funds to cover acquisition of three proximity suits for aircraft rescue fire fighter unit.

Increase	\$5,000	to	62620020/P50000441022/508007	PubSafetyEq
Increase	\$5,000	to	62620020/P50000441022/407001	Intrfd Trf In
Increase	\$5,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$5,000	to	62620018/P50000241021/507001	Intrfd Trf Out

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-406 AIRPORT
 Transfer of funds to cover increased cost of computer parts and supplies. Increase is because the Airport now has an I.T. person assigned who fixes and updates systems on an ongoing basis.

Increase	\$2,000	to	6262005/40101/503104	CompSup
Decrease	\$2,000	from	6262001/40101/504405	Contingency

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2003-416 AIRPORT
 Transfer of funds to cover cost of parts for terminal maintenance. This item was budgeted below what is needed because an outside contractor had a contract covering parts and service. That contract has been terminated and the Airport will be doing the maintenance on the HVAC units.

Increase	\$70,000	to	62620005/40101/503200	BldgMntSup
Decrease	\$70,000	from	62620001/40101/504405	Contingency

*Motion made, seconded and unanimously carried to approve the request of Northeast Civic Leaders Council to hold parade on April 19th, 2003 from 8:30 a.m. to 1:00 p.m. Route: Line up on Diana (northbound) from Railroad intersection north to Hercules; parade to be on northbound Diana Dr. to Northgate Shopping Center. Approximately 2000 persons, 150 vehicles, and 30 animals will take part and 10,000 spectators are anticipated. PERMIT NO. 03-021

*Motion made, seconded and unanimously carried to approve the request of Isabella Peralta to use amplification (1 microphone & 1 speaker) at the corner of Paisano and El Paso St. on March 22, 2003 and March 29, 2003 from 9:00 a.m. to 9:00 p.m. Approximately 3 persons will take part. PERMIT NO. 03-029

*Motion made, seconded and unanimously carried to approve the request of the Centro De Los Trabajadores Agricolas Fronterizos to hold a parade on March 29, 2003 from 2:00 p.m. to 6:00 p.m. Route: Start at the corner of El Paso and 6th St., proceed North on El Paso St., turn right on Paisano, turn right on Oregon proceed on Oregon St. to 9th St., and to block off 9th St. between Oregon and Mesa St. from 4:00 p.m. to 6:00 p.m. for a block party. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". Approximately 100 persons will participate. This request also includes permission to use amplification (1 pa, 2 speakers and 2 microphones). PERMIT NO. 03-025

ORDINANCE 15375

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 15 (PUBLIC SERVICES), CHAPTER 15 (WATER CONSERVATION ORDINANCE), SECTION 15.13.140 DROUGHT AND WATER EMERGENCY MANAGEMENT RESPONSE PLAN, OF THE CITY OF EL PASO MUNICIPAL CODE TO ADOPT THE NOVEMBER 2002 PLAN.**

Mr. Bill Hutchison, Public Service Board (PSB), gave a presentation (on file in the City Clerk's Office).

Representative Sariñana asked if the City had a system that can pump water back into the bolson.

Representative Cook questioned if salt water could be used to put out fires.

Mr. Hutchison responded they are doing research at this time.

Representative Power asked about brackish water and the reason for the purchase of property in the Northeast.

Mr. Joe Cardenas, Project Manager for desalination facilities, gave a presentation explaining all the phases of the project, status, cost and sources of funding, (presentation on file in the City Clerk's Office).

Representative Cook asked if the \$29 million funding is a secured amount.

Mr. Ed Archuleta, General Manager for the El Paso Water Utilities Public Service Board, responded that the City is fortunate if it can get a full funding but if not, PSB bonds would be used to fund it. He then gave his presentation on the City's watering plan (on file in the City Clerk's Office).

Mr. Rick Giordino, citizen, explained his experiences and made a presentation on the water rate charge.

Mr. Joe Hanson, Rio Grande Compact Commissioner for the State of Texas, explained the severe drought conditions in other states this year.

Representative Sumrall asked Mr. Hanson if the City should implement the one-day a week watering schedule. Mr. Hanson recommended yes.

Representative Sariñana suggested implementing Stage 2 from April 1st to June 1st and then having Mr. Archuleta report to council for re-evaluation.

Mr. Archuleta agreed as well as several of the Council members.

Representative Power stated that he would rather have the restrictions lifted at that time due to the public's concern about their lawns.

Mr. Cook asked that the date be sunset by ordinance and redo it every time it needs to be extended.

Representative Power advised Council about his constituents do not like the idea of one day a week or the how the Public Service Board is handling the water situation.

Mayor Caballero asked Mr. Archuleta about the existence of a board or committee.

Mr. Archuleta explained there is a new board called The Policy Advisory Council to bring up issues for the City.

Representative Sumrall encouraged citizens to run for office for the Irrigation District because the present members have been there for over 20 years and they need to be replaced due to lack of cooperation.

Mr. Archuleta answered questions and responded to suggestions from City Council.

SPEAKERS FOR THE STAGE 2 RESTRICTIONS

David Driscoll, representing several businesses

Teodora Trujillo – EPISO

Frank Wood – Hacienda Del Norte Water District Board Member

Bill Addington – El Paso Group of Sierra Club

Dr. Carlos Rincon – Environmental Defense

Dr. Tony Tarquin – UTEP Professor

Elsa Cushing – PSB Vice-Chair

Richard Ayoub – Greater El Paso Chamber of Commerce

Rene L. Clarks – concerned citizen

SPEAKERS AGAINST THE STAGE 2 RESTRICTIONS

Rocky Baccus – Air Conditioning Experts

Alan Serna – Candidate for District 7

Richard Telles-Goins

Stan Gardner – Colorado resident

Jay Kerr – representing the El Paso Association of Builders

John Ivey

Theresa Caballero – Affordable Housing, El Paso Builders Association

Steve Procopio – Self employed

Dan Blaeser – representing the green industry

Representative Cook read into record an amendment.

Representative Sumrall asked if there were considerations for people who use pools for health reasons.

Representative Cook replied that the restrictions did not include swimming pools.

The City Clerk called for further public comment. There was no further public comment.

1st Motion:

Motion duly made by Representative Cook, seconded by Representative Medina, that the Ordinance be adopted as amended. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Medina, Cook, Escobar and Sariñana

NAYS: Council Members Rodriguez, Power and Cobos Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

2nd Motion:

Motion made by Representative Cobos, seconded by Representative Sariñana and carried to reconsider the following two items after coming out of executive session per Representative Cobos's request: An Ordinance amending Title 15 (Public Services), Chapter 15 (Water Conservation Ordinance), Section 15.13.140 Drought and Water Emergency Management Response Plan, of the City of El Paso Municipal Code to adopt the November 2002 Plan; and Resolution pursuant to the City Drought and Water Emergency Management Response Plan, Chapter 15.13 Water Conversation Ordinance, declaring Stage 2 water restrictions be imposed effective April 1, 2003 and revising Stage 2 water restrictions by adding Number 18 to provide that apartment complexes and large turf water users shall water in accordance with a special permit issued by El Paso Water Utilities and will reduce consumption based on reduction targets set by El Paso Water Utilities

AYES: Representatives Cook, Power, Sariñana and Cobos

NAYS: Representatives Sumrall, Medina and Escobar

NOT PRESENT: Representative Rodriguez and Mayor Caballero

3rd Motion:

Motion duly made by Representative Cook, seconded by Representative Sariñana, that the Ordinance be adopted as amended. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Medina, Cook, Escobar, Sariñana and Cobos

NAYS: Council Member Power Absent: None

Council Member Rodriguez and Mayor Caballero were not present for the vote.

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
*Motion made, seconded and unanimously carried to delete an Ordinance amending Title 18 (Buildings and Construction) of the El Paso Municipal Code, by amending Chapter 18.02 (Building and Construction Administrative Code), Section 18.02.103.3 (Examination of Documents), Section 18.02.103.7 (Fees) and Section 18.02.108 (Inspections) to provide for the review of permit documents and the performance of inspections by approved third party companies. The penalty being as proved in Section 18.04.107 of the Code.
.....

ORDINANCE 15376

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING WESTSIDE COMMUNITY CHURCH TO USE A PORTION OF FRANK DELGADO PARK FROM 12:00 PM UNTIL 4:00 PM ON APRIL 19, 2003.**

Representative Sumrall asked Mr. Ray Cox, Director of Parks and Recreation, if this was open to the public to which Mr. Cox responded yes.

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Sumrall, seconded by Representative Medina, that the Ordinance be adopted. Where upon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
Motion made by Representative Medina, seconded by Representative Cobos and unanimously carried to move into Executive Session the following:

ORDINANCE 15377

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 44 – 50, BOTH INCLUSIVE, AND A PORTION OF LOTS 51-55, BLOCK 62, COTTON ADDITION, EL PASO, EL PASO COUNTY, TEXAS (1620 MYRTLE AVE.) FROM M-1 (MANUFACTURING) TO C-3 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68 OF THE EL PASO MUNICIPAL CODE.**

Ms. Patricia Aauto, Director of Planning, Research and Development, gave the particulars and the department's recommendations.

Representative Cook asked questions.

Representative Medina asked questions regarding restrictions and exceptions on this property to which Ms. Aauto explained that it is possible but not recommended.

Ms. Rita Rodriguez, City Attorney, advised Council that any legal advice would be given in executive session.

Representative Cobos questioned if there was any opposition and who the owner of the property was.

Ms. Aauto replied that there is opposition and that the congregation owns the property.

Mr. Ernie Valdez, representing the applicant, explained that the church has been there since 1998 and that they are requesting down zoning the property. If the owner sells the property, he is willing to come back to Council.

Ms. Aauto further explained the permitted uses in a C-3 and C-4 property.

The City Clerk called for further public comment. There was no further public comment.

Motion duly made by Representative Cobos, seconded by Representative Sariñana, that the Ordinance be adopted as revised. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Medina, Power, Escobar, Sariñana and Cobos
NAYS: None ABSENT: None

Council Members Sumrall, Rodriguez and Cook were not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinance was revised from "C-4" to "C-3". Ordinance 15377, 15378 and 15379 were discussed together.

.....
Motion made by Representative Medina, seconded by Representative Cobos and unanimously carried to move into Executive Session the following:

ORDINANCE 15378

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-02023, TO ALLOW FOR A CHURCH ON A SITE OF LESS THAN THREE ACRES ON LOTS 44-50, BOTH INCLUSIVE, AND A PORTION OF LOTS 51-55, BLOCK 62, COTTON ADDITION, EL PASO, EL PASO COUNTY, TEXAS (1620 MYRTLE) PURSUANT TO SECTION 20.42.040.A. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

See discussion for Ordinance 15377.

Motion duly made by Representative Cobos, seconded by Representative Sariñana, that the Ordinance be adopted as revised. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Medina, Power, Escobar, Sariñana and Cobos
NAYS: None ABSENT: None

Council Members Sumrall, Rodriguez and Cook were not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinance was revised from "C-4" to "C-3". Ordinance 15377, 15378 and 15379 were discussed together.

.....
Motion made by Representative Medina, seconded by Representative Cobos and unanimously carried to move into Executive Session the following:

ORDINANCE15379

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-02024 TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 44 - 50 AND A PORTION OF LOTS 51-55, BLOCK 62, COTTON ADDITION, EL PASO, EL PASO COUNTY, TEXAS (1620 MYRTLE AVE), PURSUANT TO SECTION 20.64.175. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

See discussion for Ordinance 15377.

Motion duly made by Representative Cobos, seconded by Representative Sariñana and unanimously carried that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Medina, Power, Escobar, Sariñana and Cobos
NAYS: None ABSENT: None

Council Members Sumrall, Rodriguez and Cook were not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinance was revised from "C-4" to "C-3". Ordinance 15377, 15378 and 15379 were discussed together.

.....
*Motion made, seconded and unanimously carried to postpone three (3) weeks the public hearing to determine if the property located at 2808 Grant Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of this property, Adalee Crutchfield, aka Adalee C. Lowe, 2808 Grant Avenue, El Paso, Texas 79903, has been notified of the violations at this property.

.....
*Motion made, seconded and unanimously carried to postpone twelve (12) weeks the public hearing to determine if the property located at 3501 Keltner Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of this property, Sadeco, Inc., 3501 Keltner Avenue, El Paso, Texas 79904, has been notified of the violations at this property.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week the Resolution that the Director of Purchasing requests that Mayor and Council approve a request by the Director of Purchasing to send a notice to El Paso Towing advising them of Termination for Convenience. Contract No. 2000-021 with El Paso Towing for Towing, Storage and Sale of Motor Vehicles for Convenience pursuant to Clause No. 18A of the Contract, an item titled Termination for Convenience, whereby the City reserved the right to terminate the Contract for convenience.

The user Department was notified and a new solicitation would be issued.
Department: El Paso Police Department

.....
R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the El Paso City Council hereby authorizes the Mayor to take the necessary steps to change the name of Guernsey Road to Physicians Drive, beginning at its intersection with George Dieter Drive to Zaragoza Road. This is located within the City of El Paso, El Paso County, Texas.

Representative Escobar asked for information on this property and if there were any houses around.

Ms. Patricia Adatao, Director of Planning, provided the particulars.

Mr. Bradley Roe, Roe Engineering, provided explanation and stated that there are medical offices in the area.

Motion made by Representative Escobar, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

*Motion made, seconded and unanimously carried to delete the Resolution pursuant to the City Drought and Water Emergency Management Response Plan, Chapter 15.13 Water Conservation Ordinance, declaring Stage 2 drought conservation methods, except for a surcharge, be imposed effective April 1, 2003.

.....
Motion made by Representative Cook, seconded by Representative Medina and carried to approve the appointment of Mr. Richard O. Martinez to the Public Service Board.

AYES: Council Members Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: Council Member Sumrall

Mayor Caballero explained the selection process and stated that the best three candidates were selected.

Representative Cook commented on how excellent the three candidates are and explained that he selected Mr. Martinez because he think it is important the there is an Engineer on this board.

.....
No action was taken on the presentation by El Paso Water Utilities on updated hydrologic modeling of the Hueco Bolson and status of the design of the Fort Bliss Desalination Facilities.

See discussion for Ordinance 15375.

.....
No action was taken on the discussion and action on a proposed resolution by Coalition Against Violence Toward Women and Families at the US- Mexico Border. Further that City Council direct that each department review the proposed resolution for its impact on the department and that each department identify the manner in which it will comply with the resolution and the funding source to support the requirements identified.

Dr. Kathleen Staudt, representative from the Coalition Against Women and Children, thanked the Council for its proclamation and assistance in auto theft. She proceeded to ask that the City assist Cd. Juarez, Mexico, with the murders of women. She suggested that a bi-national taskforce be formed with several agencies to look over the law enforcement agencies and report back to Council.

Commander Walsh, El Paso Police Department, explained the ongoing positive relationships with Mexico law enforcement agencies.

Representative Cobos asked Ms. Rita Rodriguez, City Attorney, what Council could do to assist.

Ms. Rita Rodriguez, City Attorney, replied that they would need to know what financial support is going to be committed by the City; more clarification.

Representative Sariñana asked for clarification on financial support going into Mexico and stated that it is illegal to use taxpayers money for Mexican Police.

Representative Medina stated that the City of El Paso has a moral obligation and that the great majority will support financial assistance to Mexico.

Mr. Charlie McNabb, Chief Administrative Officer, explained that the Resolution was from outside the City and was not an internal document; more clarification on financial support is needed before a decision is made.

Mayor Caballero advised that the City is already working with Cd. Juarez on a project but he will release this information later in June.

.....

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried that the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

Representative Escobar was not present for the vote.

- A. An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.44 (Courts), and creating Section 2.44.100 (Juror Reimbursement) of the El Paso Municipal Code, to formally authorize Municipal Court reimbursement for juror travel and other expenses comparable to juror reimbursements provided by El Paso County and State Courts.
- B. An Ordinance to amend Title 13 (Streets, Sidewalks and Public Places), Chapter 13.24 (City Parks and Recreation Areas), Section 13.24.200 (Rental Rates and User Fees Authorization) to establish or revise rental rates and user fees.

PUBLIC HEARING WILL BE HELD ON APRIL 1, 2003 FOR ITEMS A - B

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

ADDITION TO THE AGENDA

Motion made by Representative Sariñana, seconded by Representative Cobos and unanimously carried to move to the forefront of the regular agenda the following item:

Seven elementary school students from Eastwood Heights to give a 5-minute entertainment presentation.

Representative Escobar was not present for the vote.

No action was taken regarding seven elementary school students from Eastwood Heights to give a 5-minute entertainment presentation.

RESOLUTION

City of El Paso - Support of Community Based Services

WHEREAS, people with disabilities are an integral part of the community, and

WHEREAS, the community gains strength through inclusion and not exclusion, and

WHEREAS, the U.S. Supreme Court ruled in 1999 that States must provide services to people with disabilities in the most integrated setting possible, and

WHEREAS, services to allow people with disabilities to live in the community rather than institutions are cost-effective because the State saves a minimum of \$1,000 per person per month, and an interim subcommittee of the Texas Senate Finance Committee reported that having people with disabilities in the community and not in nursing homes contributed 900 MILLION DOLLARS ANNUALLY to the State's economy, and

WHEREAS, the Texas 78th Legislature is considering budget cuts in which some programs and services will be eliminated entirely, approximately 75,000 persons CURRENTLY in *community based* programs will be cast out, and the 89,000 individuals on the waiting list will have to wait a minimum of two more years to gain access, and

WHEREAS, the Texas 78th Legislature is considering 50% budget cuts to State Funded Centers for Independent Living that promote community integration and provide vital support services to maintain an independent living lifestyle, and

WHEREAS, the Texas economy will lose millions in federal funds and thousands of jobs as a result of these budget cuts, and

WHEREAS, these budget cuts will impose a burden on local taxpayers as more people are forced to access public hospital emergency rooms for routine health care and preventable illnesses.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the El Paso City Council calls on the Governor, Lt. Governor, Speaker of the House, and the Legislature to increase, not decrease, the current level of funding for community-based programs so that people with disabilities can continue to be active contributors to the daily life of this State's towns and cities, and

BE IT FURTHER RESOLVED that we believe that people should be free from being forced into nursing homes and other institutions because of the lack of community-based services.

Mr. Luis Enrique Chew, VOLAR Representative, commented.

Mayor Caballero stated how this item was a great issue of high concern.

Representative Power and Sumrall expressed their support and commented that this resolution would be sending a message to legislature that budget cuts affect the already underserved disabled community.

Mr. Eric Green, VOLAR Representative, expressed his concerns.

Mr. Ruben Fernandez, citizen, expressed his concerns.

Mr. Frank Lozano, citizen, expressed what an important issue this is and thanked Council for their support.

Motion made by Representative Power, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

Representative Rodriguez was not present for the vote.

.....
***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign, on behalf of the Parks and Recreation Department, an Agreement with the El Paso Rehabilitation Center providing support for the "Spring Into Fun Day" event, being held on Saturday, March 22, 2003, for special-needs children and others at Pavo Real Center, and that the transfer of \$500 from District 5 Discretionary Funds be authorized for this event. Funds are available in Department ID: 01010005, Account: 504420, Class: 01001, Fund: 01101.
.....

***RESOLUTION**

WHEREAS, El Paso Housing Finance Corporation ("HFC") provides a means to finance the cost of residential ownership and development that will provide decent, safe, and sanitary housing at affordable prices for residents of the El Paso community; and

WHEREAS, HFC, as a public instrumentality and nonprofit corporation, performs an essential governmental function on behalf of and for the benefit of the general public and citizens of El Paso; and

WHEREAS, the City of El Paso desires to provide the use of facilities and services to HFC that will enable HFC to accomplish the public purposes to which it is dedicated;

WHEREAS, the City and HFC desire to enter into a Facilities Use Agreement that will provide for the use of facilities and services by HFC and the reimbursement to the City of costs associated with such use;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign the Facilities Use Agreement with El Paso Housing Finance Corporation ("HFC") under which HFC shall provide assistance to residents of the City of El Paso in obtaining financing for residential ownership, and the City shall provide to HFC the use of facilities and services, subject to reimbursement for costs in accordance with the terms of the Agreement. The Agreement shall be for a term of one year, with a possible one-year extension.

.....
*Motion made, seconded and unanimously carried to appoint Barbara Light to the Arts and Culture Advisory Board by Representative Rose Rodriguez.

.....
*Motion made, seconded and unanimously carried to appoint Carla Newman to the Historic Landmark Commission by Representative Rose Rodriguez.

.....
*Motion made, seconded and unanimously carried to appoint Robert Todd Jones to the El Paso Mountain Committee by Representative Rose Rodriguez.

.....
*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential streetlight at the following location:

Between 8521-B and 8525-A Eclipse Street Cost: \$464.00

.....
*Motion made, seconded and unanimously carried to approve the request of Texas Avenue Heritage Association to use amplification (2 amplifiers, 4 speakers, and 3 microphones) at San Jacinto Plaza on March 23, 2003 and March 30, 2003 from 1:00 p.m. to 5:00 p.m. Approximately 10 persons will take part and 100 spectators are anticipated. PERMIT NO. 03-031

.....
No action was taken regarding the Automatic External Defibrillator demonstration by the El Paso Fire Department.

Loretta Jordan, Medical Assistant Chief for the Fire Department, and Arthur Datnoff, Training Manager for the Police Department, demonstrated the use of an Automatic External Defibrillator.

RESOLUTION

A RESOLUTION PURSUANT TO THE CITY DROUGHT AND WATER EMERGENCY MANAGEMENT RESPONSE PLAN, CHAPTER 15.13 WATER CONSERVATION ORDINANCE, DECLARING STAGE 2 WATER RESTRICTIONS BE IMPOSED EFFECTIVE APRIL 1, 2003 AND REVISING STAGE 2 WATER RESTRICTIONS BY ADDING NUMBER 18 TO PROVIDE THAT LARGE HOUSING COMPLEXES SHALL BE ALLOWED ADDITIONAL TIME TO WATER ON THEIR DESIGNATED DAY, ON A CASE-BY-CASE BASIS BY PERMIT, TO BE APPROVED BY THE EL PASO WATER UTILITIES WATER CONSERVATION DEPARTMENT.

WHEREAS, the City Council, by Resolution dated September 4, 2002, declared a drought condition affecting the City of El Paso and adopted Stage 1 drought response management conditions effective September 9, 2002, for the City until such time as the PSB reported back to the City Council on drought conditions; and,

WHEREAS, by Resolution dated February 13, 2003, the El Paso City Council approved and adopted amendments to the Drought and Water Emergency Management Response Plan as codified at Chapter 15.13, Water Conservation Ordinance; and,

WHEREAS, the General Manager of the El Paso Water Utilities reported to the El Paso Water Utilities Public Service Board (PSB) at its regular meeting, February 26, 2003, the severity of a drought condition affecting the upper and middle Rio Grande; and,

WHEREAS, the PSB, by Resolution dated February 26, 2003, recommends and requests the City Council authorize the imposition of Stage 2 water restrictions effective April 1, 2003; and,

WHEREAS, the PSB, by minute order March 12, 2003, agreed that apartment complexes and large turf water users could water under a special permit issued by the El Paso Water Utilities with target reduction goals set by the El Paso Water Utilities; and,

WHEREAS, the PSB will continue to monitor drought conditions and promptly recommend to the City Council when Stage 2 water restrictions should be rescinded or modified as warranted by changing conditions; and,

WHEREAS, the City Council does not wish for the El Paso Water Utilities surcharges.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

Pursuant to the City Water Conservation Ordinance, the City Council hereby declares that due to drought, Stage 2 water restrictions are in effect April 1, 2003. A listing of said methods is attached hereto as Exhibit "A" (Exhibit "A" on file in the City Clerk's Office) and made a part hereof by this reference for all purposes.

Stage 2 water restrictions is hereby revised by adding number 18 to provide that apartment complexes and large turf water users shall water in accordance with a special permit issued by El Paso Water Utilities and will reduce consumption based on reduction targets set by El Paso Water Utilities.

Stage 2 water restrictions shall remain in effect until June 17, 2003; thereafter, Stage 1 water restrictions shall resume.

See discussion for Ordinance 15375.

1st Motion:

Motion made by Representative Cook, seconded by Representative Medina and carried to approve the revised resolution.

AYES: Representatives Sumrall, Rodriguez, Medina, Cook, Escobar and Sariñana

NAYS: Representatives Power and Cobos

2nd Motion:

Motion made by Representative Cobos, seconded by Representative Sariñana and carried to reconsider the following two items after coming out of executive session per Representative Cobos's request: An Ordinance amending Title 15 (Public Services), Chapter 15 (Water Conservation Ordinance), Section 15.13.140 Drought and Water Emergency Management Response Plan, of the City of El Paso Municipal Code to adopt the November 2002 Plan; and Resolution pursuant to the City Drought and Water Emergency Management Response Plan, Chapter 15.13 Water Conversation Ordinance, declaring Stage 2 water restrictions be imposed effective April 1, 2003 and revising Stage 2 water restrictions by adding Number 18 to provide that apartment complexes and large turf water users shall water in accordance with a special permit issued by El Paso Water Utilities and will reduce consumption based on reduction targets set by El Paso Water Utilities

AYES: Representatives Cook, Power, Sariñana and Cobos

NAYS: Representatives Sumrall, Medina and Escobar

NOT PRESENT: Representative Rodriguez and Mayor Caballero

3rd Motion:

Motion made by Representative Cook, seconded by Representative Sariñana and carried to approve the revised resolution.

AYES: Representatives Sumrall, Medina, Cook, Escobar, Sariñana and Cobos

NAYS: Representative Power Absent: None

Representative Rodriguez and Mayor Caballero were not present for the vote.

.....
No action was taken regarding a hearing to inform City Council of emergency demolition action taken by Building Permits & Inspections for the property located 417 N. El Paso.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to close the public hearing to inform City Council of emergency demolition action taken by Building Permits & Inspections for the property located 417 N. El Paso.

Representative Escobar was not present for the vote.

Mr. Thomas Maguire, Building Permits and Inspections, gave the particulars on the emergency demolition and the City's participation.

.....
Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 3:00 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

Discussion and action on the following:

- A. Theodore Jablonski, Jr., 02-C-323 (551.071)
- B. Lee Boulevard Right of Way Acquisition - TIP Roadway Construction Project (551.072)
- C. An Ordinance changing the zoning of Lots 44 - 50 and a portion of Lots 51-55, Block 62, COTTON ADDITION, El Paso, El Paso County, Texas (1620 Myrtle Ave.) from M-1 (Manufacturing) to C-4 (Commercial). The penalty being as provided in Section 20.68 of the El Paso Municipal Code. Applicant: Congrecion Amor de Dios / Representative: Ernie Valdez, P. O. Box 971354, El Paso, TX 79997. ZC-02056 (551.071)
- D. An Ordinance Granting Special Permit No. SU-02023, to allow for a church on a site of less than three acres on Lots 44-50 and a portion of Lots 51-55, Block 62, COTTON ADDITION, El Paso, El Paso County, Texas (1620 Myrtle) pursuant to Section 20.42.040.A. (Zoning) of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. ZONE: C-4 (Commercial) Applicant: Congrecion Amor de Dios / Representative: Ernie Valdez, P. O. Box 971354, El Paso, TX 79997. (551.071)
- E. An Ordinance Granting Special Permit No. SU-02024 to allow for a parking reduction on the property described as Lots 44 - 50 and a portion of Lots 51-55, Block 62, COTTON ADDITION, El Paso, El Paso County, Texas (1620 Myrtle Ave), pursuant to Section 20.64.175. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. ZONE: C-4 (Commercial). Applicant: Congrecion Amor de Dios / Representative: Ernie Valdez, P. O. Box 971354, El Paso, TX 79997. (551.071)

Motion made by Representative Sariñana, seconded by Representative Cobos and unanimously carried to adjourn the Executive Session at 3:05 p.m. and reconvene the meeting of the City Council, during which time motions were made as follows:

Representative Rodriguez was not present for the vote.

Mayor Caballero left the meeting during executive session.

Motion made by Representative Medina, seconded by Representative Sariñana and unanimously carried to delete the following executive session item:

Theodore Jablonski, Jr., 02-C-323 (551.071)

Representatives Sumrall, Rodriguez and Cook were not present for the vote.

Motion made by Representative Medina, seconded by Representative Sariñana and unanimously carried that the City's agent and City Attorney be authorized to negotiate a counteroffer from the property owner for right of way acquisition of Lee Boulevard for Parcel 29, as recommended by the City Attorney, and that the Mayor and City Attorney be authorized to sign any related documents.

Representatives Sumrall, Rodriguez, and Cook were not present for the to vote.

See Ordinance 15377 on page 23.

See Ordinance 15378 on page 24.


See Ordinance 15379 on page 25.

Motion made by Representative Sariñana, seconded by Representative Power and unanimously carried to adjourn this meeting at 3:20 pm.

Representatives Sumrall, Rodriguez and Cook were not present for the vote.

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APPROVED AS TO CONTENT:



Richarda Duffy Momsen, City Clerk